

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DAVID WEST HARDMAN,

Plaintiff,

v.

Case No. 09-13826
Honorable Denise Page Hood

SHANNON BULLOCK,
OAK PARK POLICE DEPARTMENT,
OAKLAND COUNTY SHERIFF'S
DEPARTMENT, STATE OF MICHIGAN,
JEFFREY WOODS, DETROIT NEWS,
and TOM GREENWOOD,

Defendants.

ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION

I. INTRODUCTION

This matter is before the Court on Plaintiff's Motion for Reconsideration. **Docket No. 83, filed October 4, 2010.** This Court issued dismissed this action with Prejudice on September 24, 2010. **Docket No. 82.**

II. ANALYSIS

Pursuant to E.D. Mich. L.R. 7.1(g)(3) "the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication." A motion for reconsideration is only proper if the movant shows that the court and the parties were misled by a "palpable defect." E.D. Mich. L.R. 7.1(g)(3). A "palpable defect" is a "defect which is obvious, clear, unmistakable, manifest, or plain." *Olson v. The Home Depot*, 321 F.Supp.2d 872, 874 (E.D. Mich. 2004). The movant must also

demonstrate that the disposition of the case would be different if the palpable defect were cured.

E. D. Mich. L.R. 7.1(g)(3).

Plaintiff contends that his counsel was ineffective for failing locate and present eye witness testimony to corroborate Plaintiff's claims. Next, Plaintiff argues that claims against Defendant Shannon Bullock and other Detroit City police officers should not be dismissed without further investigation. Finally, Plaintiff contends that sanctions should not be imposed because the suit was not intended to injure or was filed negligently or willfully.

Considering Plaintiff's motion and brief, Plaintiff has not shown any palpable defect that misled this Court or the parties. Accordingly, Plaintiff cannot demonstrate that there is any defect that, if cured, would change this Court's disposition. Pursuant to Local Rule 7.1(g)(3), Plaintiff's motion for reconsideration must be DENIED.

III. CONCLUSION

Accordingly,

IT IS ORDERED that the Plaintiff's Motion for Reconsideration [**Docket No. 83, filed October 4, 2010**] is **DENIED**.

s/Denise Page Hood
United States District Judge

Dated: September 29, 2011

I hereby certify that a copy of the foregoing document was served upon counsel of record on September 29, 2011, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry
Case Manager